

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

In re:	)	
	)	
MARK JOSEPH CRISCUOLO	)	Case No. 09-14063-SSM
	)	Chapter 13
Debtor	)	
	)	
DUNLAP, GRUBB & WEAVER, PLLC	)	
	)	
Plaintiff	)	
	)	
vs.	)	Adversary Proceeding No. 09-1253-SSM
	)	
MARK JOSEPH CRISCUOLO	)	
	)	
Defendant	)	

**ORDER DISMISSING COMPLAINT AND GRANTING LEAVE TO AMEND**

Upon consideration of the defendant's motion to dismiss the complaint for failure to state a claim for relief, and it appearing that the plaintiff wishes to file an amended complaint that would withdraw the claim for nondischargeability under § 523(a)(2), Bankruptcy Code, and amend the claim for nondischargeability under § 523(a)(6), Bankruptcy Code, it is

**ORDERED:**

1. The complaint is dismissed, with leave to file an amended complaint pleading a cause of action under § 523(a)(6), Bankruptcy Code, within 14 days of the entry of this order.
2. The clerk will mail a copy of this order, or give electronic notice of its entry, to the parties listed below.

Date: \_\_\_\_\_

Alexandria, Virginia

\_\_\_\_\_  
Stephen S. Mitchell  
United States Bankruptcy Judge

Copies to:

David Ludwig, Esquire  
Dunlap, Grubb & Weaver, PLLC  
199 Liberty St. S.W.  
Leesburg, VA 20175  
Counsel for the plaintiff

James Tse Chung Tsai, Esquire  
Pesner Kawamoto & Conway PLC  
7926 Jones Branch Drive, Suite 930  
McLean, VA 22102  
Counsel for the defendant